IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 7392 of 2007(E)

PETITIONER:

K.S.GOPINATHAN CHETTIYAR, AGED 57 YEARS,
S/O.SRI SANKARA CHETTIYAR, LAKSHMI VILASAM,
MANGANAM P.O., KOTTAYAM,
(EX-OPERATOR, KERALA WATER AUTHORITY,
W.S.SUB DIVISION, CHANGANACHERY).

BY ADV. SRI.M.R.GOPALAKRISHNAN NAIR,
SRI.B.SOMADASAN.

RESPONDENTS:
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1. **KERALA WATER AUTHORITY,**
   REPRESENTED BY THE MANAGING DIRECTOR,
   JALABHAVAN, VELLAYAMBALAM,
   THIRUVANANTHAPURAM.

2. **THE EXECUTIVE ENGINEER,**
   P.H.DIVISON,
   KERALA WATER AUTHORITY, THIRUVALLA.

BY ADV. SRI.J.KRISHNA KUMAR, SC, KWA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/05/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.7392 OF 2007-E

Judgment

The petitioner retired from the service of the Water Authority on 30.06.2005. So far, the terminal benefits due to him have not been released. Hence this Writ Petition, seeking a direction to the respondents to disburse the pension and other terminal benefits with 18% interest.

2. The Water Authority has filed a counter affidavit, in which it is submitted as follows :

> *"The petitioner was an Operator in PH Sub Division, Changanacherry and retired from service on superannuation on the AN of 30.06.05. The statements made in the Writ Petition regarding the delay caused in granting pensionary benefits to the petitioner is not correct. There was no wilful laches on the part of the respondents in granting the same.*
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> *The pension papers of the petitioner were processed and are kept pending in the office of the Executive Engineer PH Division, Thiruvalla for want of certain corrections and attestation of the Assistant Executive Engineer, PH Division, Changanacherry. This is because on verification of the service book of the petitioner, it is seen that an erroneous fixation has been given to him. As such, it has to be rectified. Hence proceedings are being carried out to rectify the mistake. To complete the process, one month's time is*

necessary.

Therefore, it is most respectfully submitted that in the light of above facts, the Hon'ble Court may be pleased to grant one month's time to rectify the mistake and complete the proceedings."

In view of the above submissions, the Writ Petition is disposed of, directing the respondents to finalise the claim of the petitioner for terminal benefits and pay the same to him within two months from the date of receipt of a copy of this Judgment.

24.05.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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